

REMARKS

The Examiner's action of April 22, 2005 is noted in which the claims are finally rejected under 35 USC 103 variously in view of Schoenberg, Chaco et al. and Zak et al.

It will be appreciated that what Applicant is claiming is a system that aids medical personnel at a remote location to be able to understand any prior condition of the patient by virtue of wirelessly transmitting to the remote location a large amount of patient data to the person's portable handset or transceiver using the Internet or another wireless means connected to a server (to which is attached a global database) and to be able to upload information about the patient's condition from the remote location.

What the subject invention does is to allow large files relating to the patient history to be made available at the remote site, which includes X-rays, patient charts and photographs, all of which consist of large size files.

Moreover, information about the patient's condition is wirelessly uploaded from the site via the Internet to the server to update the patient's records that is available to personnel at a hospital to be able to get preliminary information about the condition of the patient prior to the patient's arrival at the hospital.

Moreover, doctors at the receiving hospital are able to download any further information directly related to the patient to the medical personnel at the remote site to facilitate pre-treatment prior to the patient's arrival at the hospital.

Nowhere in the combination of the references cited by the Examiner is this shown or taught. Moreover, it would not be obvious to come up with the claimed invention from the references.

Taking first the Shoenberg reference, in Schoenberg there is no wireless communication. There is no uploading of patient files from a remote site. There is no information transmitted to EMT personnel at the remote site.

Referring to the Chaco et al. reference, as stated before, their system is used totally within the hospital, as can be seen by the use of only infrared links. Moreover, there is no uploading of information from the field and certainly no uploading from the field of information to a global database.

Most importantly, Chaco et al. does not show that information relating to the patient history is available to personnel in the field, which is what the subject patent is designed for.

With respect to the Zak et al. reference, there are no wireless links at all, no Internet connection and no server.

In short, the Zak et al. reference is a closed, private, hard-wired system.

Most importantly, there is no indication in Zak et al. that large patient files can be sent to EMT personnel on the spot. It is noted that the unit in the field in the Zak et al. reference is not networked at all, and is not capable of downloading large patient files.

Most importantly, in the abstract of Zak et al. it is said that the system operates "without relying on multiple computers and remote communications for support during use." This is mirrored in the Summary of the Invention at Paragraph 0019. Thus the Zak et al. reference teaches away from the claimed invention, which uses "remote communications."

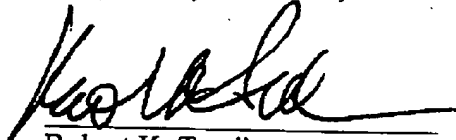
In short, even if the references could be combined, they do not teach the claimed subject matter. Nor would the claimed subject matter be obvious because as of the filing date of the subject invention there was no network built out that could handle large files wirelessly. While

wireless networks have been improved since the filing of the subject invention to handle large files including movies, such was not the case at the time of the filing of the subject invention.

However, the inventor of the claimed system foresaw the improvements in the communications infrastructure and his predictions have proved out. Obviously at the time the invention was made and as reported by the inventor, his invention was rejected by those skilled in the art at the time due to the lack of available networks and/or bandwidth. Thus at the time the invention was made it was not obvious that such a system would work, except to the inventor.

Allowance of the claims and issuance of the case is earnestly solicited. Alternatively, entry of this Amendment for purposes of appeal is requested.

Respectfully submitted,



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